

TRIPURA



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PART--IV-- Bills introduced in the Tripura Legislative Assembly, Report of Selection Committees presented or to be presented to that Assembly ; and Bills published before introduction in that Assembly.

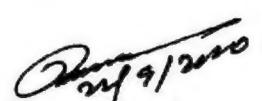
**TRIPURA LEGISLATIVE ASSEMBLY
SECRETARIAT
NEW CAPITAL COMPLEX
AGARTALA, TRIPURA, PIN - 799010
[FAX : (0381) 241 4095/9654]**

No.F.7(12-15)-LA/2020/3700

Dated, Agartala, the 22nd September, 2020.

NOTIFICATION

" As required under Rule 117 of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly, " **The Tripura Agricultural Produce Markets (Fourth Amendment) Bill, 2020 (The Tripura Bill No. 20 of 2020)** " as introduced in the Assembly on the **21st September, 2020** to be published in the Tripura Gazette."


(B.P. Karmakar)
Secretary
Tripura Legislative Assembly

THE TRIPURA BILL NO 20 of 2020

**THE TRIPURA AGRICULTURAL PRODUCE MARKETS
(FOURTH AMENDMENT) BILL, 2020**

**A
BILL**

to amend the Tripura Agricultural Produce Markets Act -1980 (The Tripura Act No-15 of 1983).

BE It enacted by the Tripura Legislative Assembly in the seventy first year of Republic of India as follows:

1. Short title, extent and commencement:

- (1) This may be called the "Tripura Agricultural Produce Markets (Fourth Amendment) Bill, 2020";
- (2) It shall come into force on and from the date of its publication in the Tripura Gazette.

2. Insertion of New Clause 28A:

After Section 28 of the Tripura Agricultural Produce Markets Act, 1980, a new section 28A shall be inserted as follows:

"Limiting
enforcement power
of Market Committee
within Market-yard

"28A. (1) The Market Committee shall not regulate marketing of notified agricultural produce and livestock in its delineated market area. The Market Committee will enforce regulation on marketing of notified agricultural produce and livestock within the principal market yard, sub-market yard(s) and market sub-yard(s) of its market area only.

(2) The State Government may, by notification, appoint any Officer to exercise or perform such of the powers and functions of the Director of Agricultural Marketing under the provisions of the Ordinance and rules made thereunder;

Provided that Director of Agricultural Marketing shall not concurrently hold the office of Managing Director of the Board."

3. Repeal and saving:

- (1) The Tripura Agricultural Produce Markets (Fourth Amendment) Ordinance, 2020 (Tripura Ordinance No.2 of 2020), which was promulgated on 29th May, 2020, is hereby repealed;
- (2) Notwithstanding such repeal, any Notification or order issued or any action taken under the ordinance, so repealed, shall be deemed to have been issued or taken under the corresponding provision of this Act.

STATEMENT OF OBJECT AND REASONS NECESSITATING THE PROMULGATION OF THE ORDINANCE

The Government of India advocated a Model Act on Agricultural Produce and Livestock Marketing (Promotion & Facilitation) Act during 2017 which emphasizes organized wholesale marketing in the country promoted through a network of regulated markets set up under the provision of States Agricultural Produce Marketing (Regulation) Acts. The main aim of the advocated Act is to bring harmony to different State Acts.

2. Moreover, the implementation of the Act shall allow 33.33% subsidy to State Government for creation of non-storage structures in the different Agricultural Produce Markets & different GRAMs (Gramin Haats) as communicated by the Scheme guideline vide letter No.M-11011/01/GRAMs/2019-GHY/290 dated 10-04-2019. As well as adoption of the provisions of the Act shall allow to avail one time grant of Rs.30.00 lakhs per market for software & Hardware etc.

3. But to implement the scheme following reforms, have been made mandatory, by amending the relevant provisions of the Tripura Agricultural Produce Markets Act, 1980:-

- a) It enables full democratization of the market committee and State Marketing Board,
- b) It also makes a clear demarcation of the power and functions between Director of Agricultural Marketing and Managing Director of the Marketing Board.

4. Since the Tripura Legislative Assembly is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action; The Tripura Agricultural Produce Markets (Forth Amendment) Ordinance, 2020 may be promulgated in exercise of the power conferred under Article 213(1) of the Constitution of India.

The Ordinance seeks to achieve the above objects.


(Pranajit Singh Roy)
[Minister-in-charge of Agriculture,
Agri., Tourism & Transport Deptt.
Govt. of Tripura, Agartala.]

TECHNICAL REPORT

The subject matter of the Bill is relatable to entry 14 & 28 of the State list (List-II) of the seventh schedule to the constitution of India. Therefore, the State Legislature is competent to make a Law on the subject. No provision of the bill is repugnant to any provision of the constitution or any existing Central Law on the subject. This is not also a money Bill within the meaning of Article 199 of the constitution. Prior recommendation of the Governor for moving of introducing the Bill in the Assembly is not therefore necessary. Since the Bill does not involve any additional expenditure from the consolidated fund of the State, prior recommendation of the Governor is not also necessary for consideration of the Bill in the Assembly under Article-207(3) of the constitution.

(Biswajit Palit)
Secretary, Law
Government of Tripura.

FINANCIAL REPORT

The Bill, if enacted and brought into operation, shall not involve any additional expenditure from the consolidated fund of the State.

(S. K. Rakesh)
Addl. Chief Secretary, Law
Government of Tripura.